

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT

IN THE MATTER OF:

RONALD AND KENYETTA PEGUIES

DEBTORS.

CASE NO.: 18-52616

CHAPTER: 13

JUDGE: TUCKER

OBJECTION TO PROOF OF CLAIM OF MICHIGAN DEPARTMENT OF TREASURY #22-1

Debtors, by and through Counsel, Frego & Associates, The Bankruptcy Law Office, P.L.C., hereby objects to the proof of claim filed by Michigan Department of Treasury, and states as follows:

1. Debtors filed for Bankruptcy protection on or about September 14, 2018.
2. On or about February 22, 2019, creditor Michigan Department of Treasury filed a Proof of Claim (#22-1). (hereafter "Proof of Claim")
3. The Proof of Claim states that \$7,940.24 is owed to the creditor for "taxes". There is a supplement filed with the Proof of Claim that states that these taxes are owed for the tax year 2014-2017. Specifically, priority debts total \$4,917.37 and general unsecured debts total \$3,022.87. The supplement further indicates that debtor Kenyetta Peguies owes an "estimated" amount for the tax year 2015 because debtor had not filed the return. Debtor, Kenyetta Peguies has filed her 2015 State of Michigan tax return and her liability is \$1,385.00. (See Exhibit-2015 ITR)
4. As a result, the Proof of Claim #22-1 shall be modified to reflect priority income tax debt of \$4,459.91.

WHEREFORE, Debtors pray this Honorable Court modify the Proof of Claim #22-1 filed by Michigan Department of Treasury; further Debtor requests the Court order other such relief the Court finds just and proper.

Dated: October 15, 2019

/s/ Jay E. Piggott

Jay E. Piggott (P68091)

Attorney for Debtors

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NOTICE OF OBJECTION TO CLAIM

Debtors have an objection to your claim in this bankruptcy case.

Your rights may be reduced, modified or denied. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to deny or change your claim, then on or before **November 14, 2019**, you or your attorney must:

1. File with the court a written response to the objection, explaining your position at:¹

United State Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

| | | |
|-----------------------------|----------------------------|--------------------------|
| Ronald and Kenyetta Peguies | James P. Frego | Tammy L. Terry |
| 11362 Appleton | 23843 Joy Rd | Chapter 13 Trustee |
| Redford, MI 48239 | Dearborn Heights, MI 48127 | 535 Griswold, Suite 2100 |
| | | Detroit, MI 48226 |

2. Attend the hearing on the objection, scheduled to be held on **November 21, 2019**, at **9:00** a.m. (or as soon after as counsel can be heard) in Courtroom **1925**, United States Bankruptcy Courthouse, 211 W. Fort St., Detroit, Michigan, unless your attendance is excused by mutual agreement between yourself and the objector's attorney.

If you or your attorney does not take these steps, the Court may deem that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.

Dated: October 15, 2019

/s/ Jay E. Piggott

Jay E. Piggott (P68091)

Attorney for Debtors

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¹Response or answer must comply with F.R.Civ. P. 8(b), (c) and (e).

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ORDER GRANTING OBJECTION TO PROOF OF CLAIM
OF MICHIGAN DEPARTMENT OF TREASURY, #22-1

This matter having come on for hearing before the Court by way of the objection of the debtor to the allowance of the claim of the above referenced creditor, service having been made with a notice of hearing allowing a thirty (30) day notice pursuant to Bankruptcy Rule 3007, a hearing having been held, the court having heard the matter in open court and for the reasons stated on the record:

NOW THEREFORE, IT IS HEREBY ORDERED:

The objection to the Proof of Claim filed by the above-referenced creditor is hereby granted. To the extent that the Chapter 13 Standing Trustee has previously made disbursements to such creditor, the Trustee shall not be obligated to recoup same.

IT IS FURTHER ORDERED as follows: [**Only provisions checked below apply**]

1. The Proof of Claim filed by Michigan Department of Treasury (Docket #22-1) is modified such that the total amount of Unsecured Priority Claims is \$4,459.91.

UNITED STATES BANKRUPTCY JUDGE

Exhibit A

“PROPOSED ORDER”